

See Attachment

(74)
3/27/02
48m

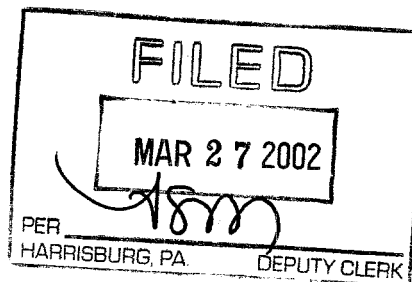
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PENNSYLVANIA PROTECTION AND :
ADVOCACY, INC., :
Plaintiff :

vs.

CIVIL ACTION NO. 1:CV-00-1582

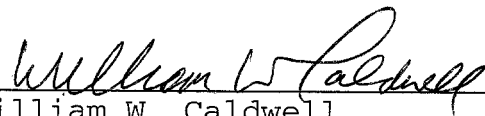
DEPARTMENT OF PUBLIC WELFARE OF :
THE COMMONWEALTH OF PENNSYLVANIA; :
MARK S. SCHWEIKER, in his :
official capacity as Governor of :
the Commonwealth of Pennsylvania; :
FEATHER O. HOUSTOUN, in her :
official capacity as Secretary :
of Public Welfare for the :
Commonwealth of Pennsylvania; :
GERALD RADKE, in his official :
capacity as Deputy Secretary :
for Mental Health and :
Substance Abuse Services; and :
S. REEVES POWER, Ph.D., in his :
official capacity as :
Superintendent of South Mountain :
Restoration Center, :
Defendants



O R D E R

AND NOW, this 27th day of March, 2002, it is ordered
that:

1. Defendants' motion (doc. 50) to dismiss the second amended complaint is granted in part and denied in part.
2. The ADA claim against defendant DPW is dismissed.
3. In all other respects, the motion is denied.


William W. Caldwell
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

March 27, 2002

Re: 1:00-cv-01582 Pennsylvania Protect v. PA Dept. of Public

True and correct copies of the attached were mailed by the clerk
to the following:

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Thomas Blazusiak, Esq.
Department of Public Welfare
Office of Legal Counsel
Allentown State Hospital
1600 Hanover Avenue
Allentown, PA 18103

cc:			
Judge	(<input checked="" type="checkbox"/>)	()	Pro Se Law Clerk
Magistrate Judge	()	()	INS
U.S. Marshal	()	()	Jury Clerk
Probation	()		
U.S. Attorney	()		
Atty. for Deft.	()		
Defendant	()		
Warden	()		
Bureau of Prisons	()		
Ct Reporter	()		
Ctroom Deputy	()		
Orig-Security	()		
Federal Public Defender	()		
Summons Issued	()	with N/C attached to complt. and served by:	
		U.S. Marshal ()	Pltf's Attorney ()
Standard Order 93-5	()		
Order to Show Cause	()	with Petition attached & mailed certified mail	
		to: US Atty Gen ()	PA Atty Gen ()
		DA of County ()	Respondents ()
Bankruptcy Court	()		
Other _____	()		

MARY E. D'ANDREA, Clerk

DATE:

3/27/02

BY:

U sm
Deputy Clerk